

**ERIE COUNTY LEGISLATURE
MEETING NO. 15
SEPTEMBER 14, 2006**

The Legislature was called to order by Chairman Marinelli.

All members present.

A Moment of Silence was held.

The Pledge of Allegiance was led by Legislator Iannello.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meetings.

Item 3 – MS. WHYTE moved for the approval of the minutes of meetings 11, 12 and 13 of 2006. MR. HOLT seconded. MR. RANZENHOFER voted in the negative.

CARRIED (14-1)

Item 4 - No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MS. WHYTE presented a resolution In Memory of Theresa M. Jaramillo.

Item 6 – MS. WHYTE presented a resolution In Memory of Andrew Michael Dlugosz.

Item 7 – MS. MARINELLI presented a resolution Honoring Carmen A. and Marilyn J. Queeno on their 50th Wedding Anniversary.

Item 8 – MS. MARINELLI presented a resolution Honoring Ed Dore for his Contributions Made to Sustain the Buffalo & Erie County Botanical Gardens.

Item 9 – MR. WEINSTEIN presented a resolution Honoring the Work David M. Goldstein had Done to Benefit the Families of Temple Beth Zion.

Item 10 – MS. WHYTE presented a resolution Recognizing the Puerto Rican Day Parade of WNY.

Item 11 – MS. WHYTE presented a resolution Celebrating Hispanic Heritage Month.

Item 12 – MR. REYNOLDS presented a resolution Honoring Daisy Mae Erick Winters Upon the Celebration of Daisy's 107th Birthday.

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Item 13 – MR. REYNOLDS presented a resolution Honoring William G. Houston for his Dedication & Service to His Community.

MS. WHYTE presented the above nine resolutions and moved for immediate consideration. MS. IANNELLO seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to amend the above nine items by including Et Al Sponsorship. MS. IANNELLO seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to approve the above nine items as amended. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 14 - CHAIRMAN MARINELLI directed that Local Law No. 7 (Print #1) 2005 remain on the table.

GRANTED.

Item 15 – CHAIRMAN MARINELLI directed that Local Law No. 12 (Print #1) 2005 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 16 - CHAIRMAN MARINELLI directed that Local Law No. 4 (Print #1) 2006 remain on the table.

GRANTED.

Item 17 - CHAIRMAN MARINELLI directed that Local Law No. 5 (Print #1) 2006 remain on the table.

GRANTED.

Item 18 - CHAIRMAN MARINELLI directed that Local Law No. 6 (Print #1) 2006 remain on the table.

GRANTED.

Item 19 - CHAIRMAN MARINELLI directed that Local Law No. 8 (Print #1) 2006 remain on the table.

GRANTED.

COMMITTEE REPORTS

None.

LEGISLATOR RESOLUTIONS

Item 20 - CHAIRMAN MARINELLI directed the following resolution be sent to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

INTRO 15-1 from WEINSTEIN, MILLS & LOCKLEAR Re: STAR Programs Application in Erie County & The Role of the Local State Delegation

Item 20 - CHAIRMAN MARINELLI directed the following resolution be sent to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

INTRO 15-2 from WEINSTEIN, MILLS & LOCKLEAR Re: STAR Program Application in Erie County

Item 21 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MR. REYNOLDS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 264

RE: 2006 Legislature Personnel Budget
 Technical Amendment (INTRO 15-3)

**A RESOLUTION SUBMITTED BY
 LEGISLATOR REYNOLDS**

WHEREAS, Legislator Reynolds wishes to change the allocation of resources within his District Office and will add an additional part-time staffer while remaining within his 2006 budgetary personnel allocation of \$33,44.

NOW, THEREFORE BE IT

RESOLVED, that the Erie County Legislature does hereby make the following technical budget amendment to the Legislature's 2006 Adopted Department Budget, all of which can be effectuated while keeping within the Legislature's Adopted appropriation for 2006; and be it further,

RESOLVED, that the 2006 Erie County Budget be amended as follows to adjust for the technical corrections in the Personal Budget Report; and be it further

RESOLVED, that the following change be made:

Fund Center 110, Cost Center 1005017 District Office Staff
 ADD Part-Time Position, Job Group 6, Step 5

And be it further

RESOLVED, that this additional position is within Legislator Reynolds 2006 budgetary allocation of \$33,446;

RESOLVED, that certified copies of the resolution be transmitted to the County Executive, Personnel Commissioner and Comptroller.

Item 22 – MS. WHYTE presented the following resolution and moved for immediate consideration. MS. LOCKLEAR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 265

RE: 2006 Legislature Budget Technical
 Amendment (INTRO 15-4)

**A RESOLUTION SUBMITTED BY
 LEGISLATORS MARINELLI, WHYTE,
 REYNOLDS, LOUGHRAN, MAZUR,
 LOCKLEAR, SMITH & HOLT**

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby make the following technical amendments to the Legislature's 2006 Adopted Department Budget, all of which can be effectuated while keeping within the Legislature's Adopted appropriation for 2006; and be it further

RESOLVED, that the 2006 Erie County Budget be amended as follows to adjust for the technical corrections in the Personal Services Budget; and be it further

RESOLVED, that the following budget transfers shall be made:

From: Fund Center 110, Account 530000, Other Expenses \$16,255

To: Fund Center 110, Account 500000, Full Time Salaries \$16,255

And be it further

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, Personnel Commissioner and Comptroller.

MS. WHYTE moved to amend the item by including Legislators Kennedy and Iannello as Co-sponsors. MS. IANNELLO seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to approve the item as amended. MR. HOLT seconded. MR. RANZENHOFER voted in the negative.

CARRIED (14-1)

Item 23 – MS. WHYTE presented the following item and moved for immediate consideration. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 266

RE: Calling upon the Giambra Administration to hold Public Hearings Seeking Input of Residents Concerning Their Complex Sales Tax Redistribution Formula (INTRO 15-5)

**A RESOLUTION SUBMITTED BY
 LEGISLATOR LOUGHRAN**

MS. WHYTE moved to amend the item. MR. LOUGHRAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION SUBMITTED BY
 ERIE COUNTY LEGISLATORS MARINELLI, WHYTE,
 LOUGHRAN, REYNOLDS, HOLT,
 KENNEDY, SMITH, IANNELLO and MILLS

RE: EXECUTIVE BRANCH MODIFICATIONS TO FOUR YEAR PLAN FY 2006-2009

WHEREAS, County Executive Joel Giambra has presented the Erie County Fiscal Stability Authority a modification to the Four Year Financial Plan; and

WHEREAS, the modifications as presented purport to maintain structural balance in the operating budget, restore the reserve fund balance to \$75M by 2009, prevent harmful cuts in levels of public service and avoid a property tax increase; and

WHEREAS, these goals are to be met by changing the method of providing financial assistance to school districts within Erie County; and

WHEREAS, the changes would require elimination of current sales tax revenues that are shared with school districts forcing school districts, to raise their school taxes an amount equal to the

loss of County funding which would in theory be offset by increased STAR aid to taxpayers in the same amount of the increase; and

WHEREAS, the County of Erie would promise to hold the districts financially harmless; and

WHEREAS, this modification is a major change in the way our school districts are funded requiring New York State Legislative approval and relies on the continuation of the STAR program in its present configuration and agreement by the 3 cities and the towns to no changes in the distribution formula.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature requests the Administration of County Executive Joel Giambra to hold public forum discussions and hearings to educate the citizens of Erie County and receive input from the three cities and the citizens and election officials and school districts of Erie County to the details of the Administrations' proposed changes to the sales tax school revenue sharing and determine if the administration can build a consensus to move this forward; and be it further

RESOLVED, that copies of this resolution are delivered to the desks of County Executive Joel Giambra, the Mayors of the Cities of Buffalo, Tonawanda and Lackawanna, the State Delegation from Erie County and the school districts of Erie County for action and information.

MS. WHYTE moved to approve the item as amended. MR. KENNEDY seconded. MS. LOCKLEAR and MR. MAZUR voted in the negative.

CARRIED (13-2)

Item 24 – MS. WHYTE presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 267

RE: Clarification of Legislative Records
(INTRO 15-7)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATOR MARINELLI**

MS. WHYTE moved to amend the item by attaching the following resolution. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

WHEREAS, during the 13th Session of the Erie County Legislature, held July 13, 2006, the Legislature voted on Intro 13-8, which failed by a vote of 5 to 10; and

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WHEREAS, during the same session, the Legislature voted on Intro 13-18, which was approved unanimously; and

WHEREAS, due to a conflicting RESOLVED clause, the Legislature decided to reconsider Intro 13-18 to amend the item to properly reflect the intent of the Legislative body at the 14th Session of the Erie County Legislature, held July 27, 2006; and

WHEREAS, due to staff error, INTRO 13-8 was accidentally distributed to members during the 14th Session of the Erie County Legislature; and

WHEREAS, due to this error, the incorrect resolution (INTRO 13-8) was amended (by a vote of 11-4) and approved (by a vote of 11-4); and

WHEREAS, this body wishes to clarify the Legislative records to properly reflect the intent of the Legislature.

NOW, THEREFORE, BE IT

RESOLVED, the Clerk and/or Acting Clerk of the Erie County Legislature is directed to note within the Legislative Minutes for Session 14 that their was further action taken on the item during the 15th Session of the Legislature; and be it further

RESOLVED, this body recognizes the error was made and states that its intent was to vote on and amend Intro 13-18; and be it further

RESOLVED, the Legislature wishes to clarify that Intro 13-18 as amended was meant to read:

WHEREAS, the Erie County Legislature created the Charter Revision Commission for the express purpose of reviewing the Erie County Charter and Administrative Code and to make recommendations on whether the Erie County Charter and/or Administrative Code should be amended to facilitate the more effective delivery of services to the public and to better coordinate the functions between departments and agencies of the County and the various local governments within the County; and

WHEREAS, the Charter Revision Commission spent hundreds of hours reviewing the Charter and the Code, hearing testimony and suggestions from residents of Erie County, government professionals and various civic organizations; and

WHEREAS, the Charter Revision Commission has submitted its final recommendations to the Erie County Legislature on June 20, 2006; and

WHEREAS, the Legislature is required to approve or reject each recommendation of the Erie County Charter Revision Commission; and

WHEREAS, the Charter Revision Commission has recommended that that the Erie County Legislature amend Article XII, Section 1202 of the charter be amended to acknowledge the role of a county manager in Erie County government; and

WHEREAS, the Charter Revision Commission has recommended that Article XII, Section 1202 of the charter be amended to authorize the Comptroller to have the authority to review revenue projections, to report to the Legislature on the suitability of those projections and authorize the Legislature to reduce the revenue projections by a two-thirds majority vote; and

WHEREAS, the Charter Revision Commission has recommended that Article XII, Section 1202 be amended to authorize the Comptroller to have sole custody over all county accounts; and

WHEREAS, the Charter Revision Commission has recommended that Article XII, Section 1202 of the charter be amended to authorize the Comptroller to provide all accounting services to all county departments, offices and units as part of a centralized accounting system; and

WHEREAS, the Charter Revision Commission has recommended that the revenue recovery function which is currently assigned to the Executive branch be assigned to the Office of Comptroller; and

WHEREAS, the Erie County Legislature has studied these recommendations of the Commission as well as the materials developed by the Commission in support of its recommendations.

NOW, THEREFORE BE IT

RESOLVED, that the Erie County Legislature accepts the recommendation of the Charter Revision Commission that Article XII, Section 1202 of the charter be amended to authorize the Comptroller to have the authority to review revenue projections, to report on the suitability of those projections to the Legislature and to authorize the Legislature to reduce revenue projections by two-thirds majority vote; and be it further

RESOLVED, that Erie County Legislature accepts the recommendation of the Charter Revision Commission that Article XII, Section 1202 of the charter be amended to

authorize the Comptroller to have sole custody over all county accounts; and be it further

RESOLVED, that the Erie County Legislature accepts the recommendation of the Charter Revision Commission that Article XII, Section 1202 of the charter be amended to authorize the Comptroller to provide all accounting services to all county departments, offices and units as part of a centralized accounting systems; and be it further

RESOLVED, that the Erie County Legislature accepts the recommendation of the Charter Revision commission relating to the relocation of the revenue recovery function from the Executive branch to the Office of the Comptroller; and be it further

RESOLVED, that the Legislature's staff shall draft a local law or laws to incorporate this recommendation of the Charter Revision Commission accepted by the Erie County Legislature; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Charter Revision Commission and to the Office of the County Attorney.

RESOLVED, this body also states that it was never the intent of the Legislature to take any further action upon Intro 13-8.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 25 – MS. WHYTE moved to discharge the PUBLIC SAFETY COMMITTEE from further consideration of Comm. 13E-6. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 268

RE: Asset Forfeiture Funded Program SAFS

WHEREAS, procedures have been established by Resolution #23-3 adopted on December 1, 1994; and

WHEREAS, there are adequate funds available for distribution to the Sheriff's Office in the Asset Forfeiture Trust Account; and

WHEREAS, there will be no impact on county tax dollars.

NOW, THEREFORE, BE IT

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RESOLVED, that \$57,000 in available balances in the Asset Forfeiture Trust Fund is hereby transferred to the Erie County Sheriff's Office Asset Forefeiture Funded Program SAFS; and be it further

RESOLVED, that the following buedgetary transactions are hereby authorized:

ERIE COUNTY SHERIFF'S OFFICE ASSET FORFEITURE FUNDED PROGRAM SAFS

<u>REVENUE</u>		<u>Increase</u>
421550	Forfeiture Crime Proceeds	<u>57,000</u>
	Total Revenue	<u>57,000</u>
<u>APPROPRIATION</u>		<u>Increase</u>
510100	Out-of-Area Travel	15,000
515000	Utilities	3,000
516020	Professional Services & Fees	3,000
561410	Lab & Technical Equipment	<u>36,000</u>
	Total Appropriations	<u>57,000</u>

And be it further

RESOLVED, that certified copies be forwarded to the Division of Budget, Management and Finance, the Erie County Comptroller and the Office of the Sheriff for implementation.

MS. WHYTE moved to amend the item. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

DELETE the resolution in its entirety and REPLACE with the following:

WHEREAS, procedures have been established by Resolution #23-3 adopted on December 1, 1994; and

WHEREAS, there are adequate funds available for distribution to the Sheriff's Office in the Asset Forfeiture Trust Account; and

WHEREAS, there will be no impact on county tax dollars.

NOW, THEREFORE, BE IT

RESOLVED, that \$57,000 in available balances in the Asset Forfeiture Trust Fund is hereby transferred to the Erie County Sheriff's Office Asset Forefeiture Funded Program SAFS; and be it further

RESOLVED, that the following buedgetary transactions are hereby authorized:

ERIE COUNTY SHERIFF'S OFFICE ASSET FORFEITURE FUNDED PROGRAM SAFS

<u>REVENUE</u>		<u>Increase</u>
421550	Forfeiture Crime Proceeds	<u>57,000</u>
	Total Revenue	<u>57,000</u>
<u>APPROPRIATION</u>		<u>Increase</u>
510100	Out-of-Area Travel	15,000
515000	Utilities	3,000
516020	Professional Services & Fees	3,000
561410	Lab & Technical Equipment	<u>36,000</u>
	Total Appropriations	<u>57,000</u>

And be it further

RESOLVED, the Sheriff certifies the above are appropriate expenditures under the rules and guidelines for the use of Asset Forfeiture funds; and be it further

RESOLVED, the Sheriff shall provide to this body a copy of the Annual Certification Report of the expenditures of Asset Forfeiture funds and a close-out report upon expenditure of funds; and be it further

RESOLVED, that certified copies be forwarded to the Division of Budget, Management and Finance, the Erie County Comptroller and the Office of the Sheriff for implementation.

MS. WHYTE moved to approve the item as amended. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 26 - MS. KONST moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

INTRO 15-8 from MS. KONST Re: Erie County Wireless Policy

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 27 – MR. KENNEDY moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

INTRO 15-9 from KENNEDY and SMITH Re: Reviewing and Enhancing the 911 System in Erie County

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 28 – MR. WEINSTEIN moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

INTRO 15-10 from PROBATION/YOUTH SERVICES EMPLOYEES Re: Petition - Mold in the Family Court Building

Received and referred to the HEALTH COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM LEGISLATOR IANNELLO

Item 29 – (COMM. 15E-1) Copy of Letter to ECC President Re: Student Housing Project at South Campus

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 30 – (COMM. 15E-2) Designation Pursuant to Erie County Charter Section 304

Received, Filed and Printed.

July 26, 2006

Mr. Kevin Kelley
Clerk – Erie County Legislature
25 Delaware Avenue
Buffalo, New York 14202

Re: Designation Pursuant to Erie County Charter Section 304

Dear Mr. Kelley:

Pursuant to Erie County Charter Section 304, I Joel A. Giambra, County Executive of the County of Erie, hereby designate and appoint the following department or executive division heads, hereinafter named to perform the duties of the County Executive during my absence and the absence of Deputy County Executive Bruce L. Fisher.

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The order of succession of such individuals to act as and for me, as Erie County Executive, in my absence and the absence of Deputy County Executive Bruce L. Fisher shall correspond to the number proceeding the name and title of each of the following individuals:

1. Laurence K. Rubin, Erie County Attorney
2. James M. Hartman, Erie County Director of Budget, Management and Finance

This designation shall continue until revoked or modified by me and shall be effective upon filing of same with you as clerk of the Erie County Legislature.

Sincerely,

JOEL A. GIAMBRA
ERIE COUNTY EXECUTIVE

Item 31 – (COMM. 15E-3) Copy of Statement Regarding Erie County's Four Year Financial Plan

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR IANNELLO

Item 32 – (COMM. 15E-4) Letter to Board of Ethics Re: Abstention on Vote at July, 13 2006 Session

July 19, 2006

Michael Eberle
 Erie County Board of Ethics
 95 Franklin Street – Room 604B
 Buffalo, New York 14202

Dear Mr. Eberle:

At the July 13, 2006 session of the Erie County Legislature, a resolution was put forth regarding funding for the hiring of 22 positions for the Erie County Board of Elections. As you may be aware, my husband, Dennis Ward is a Commissioner for the Board of Elections and was instrumental in preparing the budget request being voted on.

I felt it could be construed as a conflict of interest for me to vote on this resolution and attempted to abstain. Keep in mind, the media seems to be scrutinizing all actions of the Legislature and has referred to my husband and his position in previous articles. I was trying to avoid potential, adverse publicity regarding myself, the Legislature as a whole and the Board of Elections. The majority leader and Chairperson would not allow for the abstention and directed the Clerk to record my abstention as an affirmation. The Chairperson stated she would request a legal opinion on whether the affirmation could be upheld.

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I am asking the Board of Ethics to advise me as to whether or not this is legal. I would request the affirmation be changed to an abstention, based on your record of decision.

Sincerely,

Michele M. Iannello
Erie County Legislator

FROM THE COMPTROLLER

Item 33 – (COMM. 15E-5) Review of Dept. of Parks, Recreation and Forestry - Forest Management Plan and Timber Harvest

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 34 – (COMM. 15E-6) Copy of Letter to ECFSA Chair Re: Request for ECFSA's Advice & Counsel Regarding Contract Negotiations w/ AFSCME

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COMPTROLLER

Item 35 – (COMM. 15E-7) Copy of Letter to CPS Commissioner Re: Audit of Homeland Security Funding/Expenditures

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 36 – (COMM. 15E-8) Financial Report of Erie County for the Six (6) Month Period 6/30/06

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE SHERIFF

Item 37 – (COMM. 15E-9) Commission of Correction Report - Escape of Bucky Phillips

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COMPTROLLER

Item 38 – (COMM. 15E-10) Copy of Letter to ECFSA Chair Re: Review of 24-Hour Take-Home Vehicles in Erie County Government

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

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FROM LEGISLATOR SMITH

Item 39 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MR. MAZUR seconded. MR. SMITH abstained.

CARRIED (14-0-1)

RESOLUTION NO. 269

RE: Lease Agreement for Legislative Office
 Space (COMM. 15E-11)

RESOLVED, the Erie County Executive is hereby authorized to to sign a Six (6) Month Lease Agreement with Richard C. Cummings, located at 790 E. Delavan Ave., Buffalo, New York, for Legislative Office Space for Demone Smith at a monthly rate of \$650.00.

FROM THE COMPTROLLER

Item 40 – (COMM. 15E-12) Notice of Completed Sale of \$110 Million RAN

Received, Filed and Printed.

August 14, 2006

Erie County Legislature
 92 Franklin Street, 4th Floor
 Buffalo, New York 14202

Honorable Joel A. Giambra
 Erie County Executive
 95 Franklin Street, 16th Floor
 Buffalo, New York 14202

Dear Honorable Members and Mr. Giambra:

On June 13, 2006, this office completed the sale of \$110,000,000 of Revenue Anticipation Notes.

Attached a schedule providing pertinent information relative to the transaction, as required by Section 1202(1) of the Erie County Charter.

Sincerely,

Mark C. Poloncarz, Esq.
 Erie County Comptroller

MCP/sa
 Encl.

Cc: Budget Director James Hartman

Erie County Comptroller's Office
Cost of Borrowing Report – 2006 Revenue Anticipation Notes

Amount Borrowed:	\$110,000,000
Closing Date:	June 13, 2006
Credit Enhancement:	None necessary
Maturity Date:	June 13, 2007
Yield:	3.89%

Expenses

Placement Agent:	None
Letter of Credit:	None
Bond Counsel:	\$51,18.02
Financial Advisor:	<u>\$10,967.99</u>
Total	\$62,586.01

Item 41 – (COMM. 15E-13) Audit of the City of Buffalo Parks Agreement

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 42 – (COMM. 15E-14) Commission on Police Services in the Twenty-First Century

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 43 – (COMM. 15E-15) Revision to Four-Year Financial Plan for Fiscal Years 2006-2009

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR MARINELLI

Item 44 – (COMM. 15E-16) Community Enrichment Matrix Initiatives

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE

Item 45 – (COMM. 15E-17) Economic Development Matrix Initiatives

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 46 – (COMM. 15E-18) Energy & Environment Matrix Initiatives

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 47 – (COMM. 15E-19) Finance & Management Matrix Initiatives

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 48 – (COMM. 15E-20) Government Affairs Matrix Initiatives

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 49 – (COMM. 15E-21) Health Matrix Initiatives

Received and referred to the HEALTH COMMITTEE.

Item 50 – (COMM. 15E-22) Human Services Matrix Initiatives

Received and referred to the HUMAN SERVICES COMMITTEE.

Item 51 – (COMM. 15E-23) Public Safety Matrix Initiatives

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 52 – (COMM. 15E-24) Copy of Letter to ECFSA Chair Re: Four-Year Plan Revisions

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COMPTROLLER

Item 53 – (COMM. 15E-25) Erie County 2005 Comprehensive Annual Financial Report

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR MARINELLI

Item 54 – (COMM. 15E-26) Copy of Letter to Erie County Clerk Re: Interim Clerk

Received, Filed and Printed.

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David Swarts
Erie County Clerk
92 Franklin Street
Buffalo, New York 14202

HAND DELIVERY

Dear Mr. Swarts:

This is a follow up on our recent conversation concerning the Clerk of the Erie County Legislature. The Clerk of the Legislature resigned effective August 9, 2006 and I request that you serve as our interim Clerk.

Thus, pursuant to the 2006 Rules of the Erie County Legislature, section 1.01 subdivision 8, I hereby appoint you to serve as Interim Clerk of the Erie County Legislature effective immediately. The appointment shall expire upon the appointment of a Clerk of the legislature by a vote of the Erie County Legislature or upon my withdrawal of this appointment.

Once again, it is my understanding that you agreed to act as Interim Clerk and look forward to seeing you at session on September 14, 2006 at 2:00 p.m. Please advise me immediately if you cannot fulfill this duty. Thank you.

Sincerely yours,

Lynn Marinelli
Chairwoman, Erie County Legislature

FROM THE DISTRICT ATTORNEY

Item 55 – (COMM. 15E-27) Asset Forfeiture Appropriations

Item 56 – (COMM. 15E-28) BESAFE Grant

Item 57 – (COMM. 15E-29) Crimes Against Revenue Program Grant

The above three items were received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 58 – (COMM. 15E-30) 2007 Budget Hearing Schedule

Received and filed.

Item 49 – (COMM. 15E-31) Senior Services - Authorization to Amend the CSE, CSI, HIICAP and LTCOP Grant Budgets

Received and referred to the HUMAN SERVICES COMMITTEE.

Item 50 – (COMM. 15E-32) DEP - Solid Waste Grant Program - Proper Solid Waste Management in Rural Communities in Erie County

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 51 – (COMM. 15E-33) Social Services - Employment Division Staff Addition

Item 52 – (COMM. 15E-34) Social Services - Foods Stamps Eligibility Staff Additions

The above two items were received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 53 – (COMM. 15E-35) DEP - Sewerage Management - Personnel Request

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 54 – (COMM. 15E-36) Increase in Various Highway Fees

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 55 – (COMM. 15E-37) CPS - 2005/2006 NFSIA Grant Transfer of Funds

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 56 – (COMM. 15E-38) DISS - Fund Transfers and Position Transfers

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 57 – (COMM. 15E-39) Social Services - Strengthening Families Program Grant

Received and referred to the HUMAN SERVICES COMMITTEE.

Item 58 – (COMM. 15E-40) DEP - 2006 Personal Services Contract - Community Development Block Grant - Accounting Service

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 59 – (COMM. 15E-41) DPW - Old County Hall - 2006 Roof Replacement

Item 60 – (COMM. 15E-42) DPW - School 84 - 2006 - Window Replacement

Item 61 – (COMM. 15E-43) DPW - Erie County Soil & Water Conservation District Agreement - Technical Services and Stream Bank Maintenance

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The above three items were received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 62 – (COMM. 15E-44) Health - Medical Examiner - Amended Fee Schedule

Received and referred to the HEALTH COMMITTEE.

Item 63 – (COMM. 15E-45) Social Services - Medicaid Eligibility Determination Staff Addition

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 64 – (COMM. 15E-46) Health - Fee Schedule Revision - Effective 1/1/07

Received and referred to the HEALTH COMMITTEE.

Item 65 – (COMM. 15E-47) Health - Variable Minimum

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 65 - (COMM. 15E-48) Health - Working with Wellness Program Grant - 5/1/01 - 9/15/07

Item 66 – (COMM. 15E-49) Health - Children with Special Health Care Needs - 10/1/0 - 9/30/07

The above two items were received and referred to the HEALTH COMMITTEE.

Item 67 – (COMM. 15E-50) Social Services - Child Protection Services Caseload Reduction Grant

Received and referred to the HUMAN SERVICES COMMITTEE.

Item 68 – (COMM. 15E-51) Buffalo Zoo Rain Forest Agreement

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 69 – (COMM. 15E-52) Mental Health - Authorization to Increase 2006 Appropriation to Transitional Services, Inc.

Received and referred to the HEALTH COMMITTEE.

Item 70 – (COMM. 15E-53) EC/STSTA - Dissolution of Agency

Item 71 – (COMM. 15E-54) ECSD No. 6 - Engineer Term Agreement - Work Order: DA-6

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Item 72 – (COMM. 15E-55) ECSD No. 6 - STSTA - Contract No. ST-D, Electrical Contract Closeout

Item 73 – (COMM. 15E-56) ECSDs 1-6 & 8 - Section 270/271 Resolutions

Item 74 – (COMM. 15E-57) ECSD - Semi Annual Attendance Records - Boards of Managers - ECSDs

Item 75 – (COMM. 15E-58) Notice of Public Hearing - ECSDs - 2007 Assessment Rolls

Item 76 – (COMM. 15E-59) ECSD No. 2 - Disinfection Improvements - Contract No. STP-A - Change Order No. 1

Item 77 – (COMM. 15E-60) ECSD No. 4 - Sluice Gate Evaluation - A/E Agreement Dated 12/12/02 - Close-Out

Item 78 – (COMM. 15E-61) EC/STSTA - Contract No. 1ST-D, Electrical Contract Close Out

The above nine items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 79 – (COMM. 15E-62) Senior Services - Authorization to Amend the PSA and CSC Budgets

Received and referred to the HUMAN SERVICES COMMITTEE.

Item 80 – (COMM. 15E-63) Health - Transfer of Funds

Received and referred to the HEALTH COMMITTEE.

Item 81 – (COMM. 15E-64) ECSD No. 5 - Emergency Repair - Clarence Research Park Power Feeder

Item 82 – (COMM. 15E-65) ECSD No. 2 - Contract No. STP-B, HVAC - Contract Close Out

The above two items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 83 – (COMM. 15E-66) Appointment to the Erie County Fire Advisory Board

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 84 – (COMM. 15E-67) Appointment to the Erie County Commission on the Status of Women

Received and referred to the HUMAN SERVICES COMMITTEE.

Item 85 – (COMM. 15E-68) Buffalo Zoological Gardens Bond Resolution

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 86 – (COMM. 15E-69) ECSD No. 4 - Engineer Term Agreement - Work Order: GPI-9

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 87 – (COMM. 15E-70) Personnel Dept. - Professional Risk Management Function

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COUNTY ATTORNEY

Item 88 – (COMM. 15D-1) Transmittal of New Claims Against Erie County

Received and filed.

FROM THE ECSD NO. 1 BOARD OF MANAGERS

Item 89 – (COMM. 15D-2) Minutes of Meeting

Received and filed.

FROM ENVIRONMENT & PLANNING – SEWERAGE MANGEMENT

Item 90 – (COMM. 15D-3) Copy of Certified Resolutions from ECSD Board of Managers
 Re: In Support of Managerial Confidential Raises

Received and filed.

FROM ENVIRONMENT & PLANNING

Item 91 – (COMM. 15D-4) State Environment Quality Review - Negative Declaration -
 Notice of Determination of No Significance - Zoo Site Improvement Plan

FROM THE COUNTY ATTORNEY

Item 92 – (COMM. 15D-5) Notice of Public Hearing - LL Intro No. 7-2006

Received, Filed and Printed.

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ERIE COUNTY LEGISLATURE

MEMORANDUM

TO: PLEASE SEE LIST BELOW

FROM: Brian D. White, Assistant County Attorney

DATE: July 28, 2006

RE: Notice of Public Hearing
 Local Law Intro. No. 7-2006

Enclosed for your information is a copy of the Notice of Public Hearing for the above-captioned Local Law Intro., which was approved by the Erie County Legislature on July 27, 2006, and which will be published in the County's two official newspapers next week.

Attachment

Lynn M. Marinelli, Chair
 Maria R. Whyte, Majority Leader
 Barry A. Weinstein, M.D., Minority Leader
 Daniel M. Kozub
 Timothy M. Kennedy
 George A. Holt, Jr.
 Michael H. Ranzenhofer
 Kathy Konst
 Demone A. Smith
 Thomas J. Mazur
 Cynthia E. Locklear
 Michelle M. Iannello
 Robert B. Reynolds, Jr.
 John J. Mills
 Thomas A. Loughran
 Sean Ryan, Chief of Staff
 Warren Galloway, Senior Executive Assistant to the County Executive
 Matthew Spina, The Buffalo News

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Erie County Executive, Joel A. Giambra, will hold a public hearing on Wednesday, August 9 at 9:30 p.m. concerning:

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A LOCAL LAW amending Local Law No. 1-1959, constituting the Erie County Charter, as amended, in relation to recommendations made by the Erie County Charter Revision Commission, duly organized pursuant to Local Law No. 4-2005, as amended by Local Law No. 10-2005.

The hearing will be held in the Erie County Legislature Chambers, 92 Franklin Street, 4th Floor, in the City of Buffalo, New York.

On July 27, 2006, the Erie County Legislature adopted Erie County Local Law Intro. No. 7-2006. Copies of the proposed local law are available for public inspection in the office of the Clerk of the Erie County Legislature, on the 4th Floor of 92 Franklin Street, in the City of Buffalo, New York.

**JOEL A. GIAMBRA
Erie County Executive**

Item 93 – (COMM. 15D-6) Copy of Letter to ECFSA Executive Director Re: County Office Leases

Received and filed.

Item 94 – (COMM. 15D-7) Copy of Letter to ECFSA Chair Re: Public Authority Law Section 3957 (2) (f)

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE DEPARTMENT OF SOCIAL SERVICES

Item 95 – (COMM. 15D-8) Effect NYS Parole Office Move to 460 Main St. will have on 478 Main St. Social Service Office

Received and referred to the HUMAN SERVICES COMMITTEE.

FROM BUDGET, MANAGEMENT & FINANCE

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Item 96 – (COMM. 15D-9) BMR for Period Ending 6/30/06

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 97 – (COMM. 15D-10) Transmittal of New Claims Against Erie County

Received and filed.

FROM THE CLERK OF THE LEGISLATURE

Item 98 – (COMM. 15D-11) Letter of Resignation

Received, Filed and Printed.

August 1, 2006

Honorable Lynn Marinelli, Chairman
Erie County Legislature
92 Franklin Street
Buffalo, New York 14202

Dear Legislator Marinelli:

Please accept my resignation as Clerk of the Erie County Legislature, effective August 9, 2006.

It has been an honor and privilege to serve as Clerk of the Legislature. I wish you and your colleagues much success in the future.

Thank you.

Sincerely,

Kevin M. Kelley
Clerk

FROM THE DIVISION OF PURCHASING

Item 99 – (COMM. 15D-12) Copy of Letter to Deputy Comptroller Re: Response to the Comptroller Review of the Timber Harvest RFP and Contract

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COMMUNITY COLLEGE

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Item 100 – (COMM. 15D-13) Response to Comptroller's Audit of Payroll and Procurement Transactions Processed by ECC

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE BOARD OF ELECTIONS

Item 101 – (COMM. 15D-14) Polling Site Changes

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COMMUNITY COLLEGE

Item 102 – (COMM. 15D-15) Notice of Board of Trustees Meeting Held 8/30/06

Received and filed.

FROM THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY

Item 103 – (COMM. 15D-16) Proposed Agenda for Board of Trustees Meeting to be Held 8/24/06

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 104 – (COMM. 15D-17) Transmittal of New Claims Against Erie County

Received and filed.

FROM THE COMMUNITY COLLEGE

Item 105 – (COMM. 15D-18) Minutes of Board of Trustees Meeting Held 7/20/06

Item 106 – (COMM. 15D-19) Minutes of Board of Trustees Meeting Held 6/28/06

Item 107 – (COMM. 15D-20) Notice & Agenda for Board of Trustees Meeting Held 8/30/06

The above three items were received and filed.

FROM THE COUNTY ATTORNEY

Item 108 – (COMM. 15D-21) Transmittal of New Claims Against Erie County

Received and filed.

FROM BUDGET, MANAGEMENT & FINANCE

Item 109 – (COMM. 15D-22) Erie County School Tax Credit Program

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE ERIE COUNTY WATER AUTHORITY

Item 110 – (COMM. 15M-1) 2005 Annual Report

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE WALES TOWN BOARD

Item 111 – (COMM. 15M-2) Certified Resolution: Defects in County Roads

Item 112 – (COMM. 15M-3) Certified Resolution: Termination of the 1977 Sales Tax Revenue Distribution Agreement

The above two items were received and filed.

FROM THE NYS BOARD OF REAL PROPERTY SERVICES

Item 113 – (COMM. 15M-4) List of Certified 2006 Equalization Rates

Received and filed.

FROM THE NIAGARA FRONTIER TRANSIT AUTHORITY

Item 114 – (COMM. 15M-5) NFTA Board Minutes

Received and filed.

FROM THE NYS. DEPT. OF ENVIRONMENTAL CONSERVATION

Item 115 – (COMM. 15M-6) Fact Sheet - Brownfield Cleanup Program - 330 Maple Road Site

Received and filed.

FROM THE FISCAL STABILITY AUTHORITY

Item 116 – (COMM. 15M-7) Certified Resolution Re: Requiring Erie County to Provide Modified 4-Year Plan to ECFSA by 8/22/06

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ERIE COUNTY LEGISLATURE

Received and filed.

FROM THE BOARD OF ETHICS

Item 117 – (COMM. 15M-8) Copy of Letter to Iannello Re: Reply to Comm. 15E-4

Received, Filed and Printed.

July 26, 2006

Hon. Michele M. Iannello
Legislator – 10th District
92 Franklin St., 4th Floor
Buffalo, NY 14202

Dear Legislator Iannello:

I have discussed your letter of July 19, 2006 with the Chairperson of the County Ethics Board, David Mineo, and our legal counsel on the Board Susannah Bochenek.

We discussed and reviewed the Local Law No. 10-1989 which established a code of ethics for Erie County.

Nothing in the Ethics Law prohibits a Legislator from voting on a Legislative Resolution unless he/she has a “substantial personal economic interest” in such a resolution. In addition, nothing in the Ethics Law would either directly or indirectly infer that voting on the appropriation of funds for a County Department, even if a family member worked in that department, would be a conflict of interest.

It does not appear that either you as a Legislator nor your husband as a Commissioner in the Board of Elections, had anything financially to gain by your voting on the aforementioned resolution.

We do not believe the Board of Ethics has any control or jurisdiction over how your vote was recorded. We will continue to research this matter and I will advise you of anything further on this issue.

I hope this response will satisfy your questions and concerns.

Sincerely,

Michael J. Eberle
Erie County Board of Ethics

FROM THE AID TO INDIGENT PRISONERS SOCIETY, INC. –
ASSIGNED COUNSEL PROGRAM

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Item 118 – (COMM. 15M-9) Quarterly Report of the Assigned Counsel Program for 2nd Quarter of 2006

Received and filed.

FROM THE TOWN OF EDEN

Item 119 – (COMM. 15M-10) Certified Resolution: Termination of the 1977 Sales Tax Revenue Distribution Agreement

Received and filed.

FROM THE ECIDA

Item 120 – (COMM. 15M-11) Notice of Board of Directors Meeting Held 8/3/06

Received and filed.

FROM THE NFTA

Item 121 – (COMM. 15M-12) Audited Financial Statement for FY Ended 3/31/06

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE NYS BOARD OF REAL PROPERTY SERVICES

Item 122 – (COMM. 15M-13) List of Certified 2006 Equalization Rates

Received and filed.

**FROM THE AID TO INDIGENT PRISONERS SOCIETY, INC. –
ASSIGNED COUNSEL PROGRAM**

Item 123 – (COMM. 15M-14) Financial Report for First Six Months of 2006

Received and filed.

FROM KNOWER, CRAWFORD & BENDER

Item 124 – (COMM. 15M-15) Brownfield Cleanup Program Application - 275 Franklin Street, C915208

Received and filed.

FROM THE NYS BOARD OF REAL PROPERTY SERVICES

Item 125 – (COMM. 15M-16) ECSD No. 2

Received and filed.

FROM THE CITY OF BUFFALO – DEPT. OF ASSESSMENT & TAXATION

Item 126 – (COMM. 15M-17) Transit Mall Service Charge Roll

Received and filed.

FROM THE NFTA

Item 127 – (COMM. 15M-18) Notice of Proposed Rulemaking

Received and filed.

FROM THE EMS ADVISORY BOARD

Item 128 – (COMM. 15M-19) Support for Placement of the EMS Division in the Erie County Dept. of Health

Received and referred to the HEALTH COMMITTEE.

FROM THE NEW YORK POWER AUTHORITY

Item 129 – (COMM. 15M-20) Copy of Letter to Congressman Higgins Re: Niagara Power Project Revenue

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE AMHERST TOWN BOARD

Item 130 – (COMM. 15M-21) Certified Resolution Re: Merge AIDA with the ECIDA

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE FISCAL STABILITY AUTHORITY

Item 131 – (COMM. 15M-22) Request the Legislature Respond to Modified Four-Year Plan by 9/6/06

Received and filed.

FROM THE NFTA

Item 132 – (COMM. 15M-23) Copies of the 17A Report and the Capital Expenditure Reports for First Quarter of FY Ending 3/31/07

Received and filed.

FROM THE BOARD OF HEALTH

Item 133 – (COMM. 15M-24) Notice of Board of Health Meeting To Be Held 9/21/06

Received and filed.

FROM HURWITZ & FINE P.C.

Item 134 – (COMM. 15M-25) ECIDA

Received and filed.

FROM THE LEGAL AID BUREAU

Item 135 – (COMM. 15M-26) 2005 Financial Statements

Received and filed.

FROM THE NYS BOARD OF REAL PROPERTY SERVICES

Item 136 – (COMM. 15M-27) List of Certified 2006 Class Equalization Rates

Item 137 – (COMM. 15M-28) List of Certified 2006 Equalization Rates

The above two items were received and filed.

FROM THE ECIDA

Item 138 – (COMM. 15M-29) Notice of Board of Directors Meeting To Be Held 9/11/06

Received and filed.

FROM THE NFTA

Item 139 – (COMM. 15M-30) NFTA Board Minutes

Received and filed.

FROM CONGRESSMAN HIGGINS

Item 140 – (COMM. 15M-31) Copy of Letter to NYPA Re: Reply to Comm. 15M-20

Received and referred to the ECONOMIC DEVELOPOMENT COMMITTEE.

FROM CSEA

Item 141 – (COMM. 15M-32) Indoor Air Quality Review and Mold Inspection for the Erie County Probation Dept.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM PROBATION/YOUTH SERVICES EMPLOYEES

Item 142 – (COMM. 15M-33) Petition - Mold in the Family Court Building

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

MEMORIAL RESOLUTIONS

Item 143 – Ms. Marinelli requested that when the Legislature adjourns, it do so in memory of Trooper Joseph Longobardo.

Item 144 – Ms. Marinelli requested that when the Legislature adjourns, it do so in memory of Cliff Galla.

Item 145 – Mr. Smith requested that when the Legislature adjourns, it do so in memory of Roscoe Henderson.

Item 146 – Mr. Holt requested that when the Legislature adjourns, it do so in memory of Roscoe Henderson.

Item 147 – Mr. Weinstein requested that when the Legislature adjourns, it do so in memory of Christine Gilmore.

Item 148 – Mr. Reynolds requested that when the Legislature adjourns, it do so in memory of Joanne Jacob.

Item 149 – Ms. Iannello requested that when the Legislature adjourns, it do so in memory of Ronald Bendel.

Item 150 – Mr. Kennedy requested that when the Legislature adjourns, it do so in memory of William Finnegan.

Item 151 – Mr. Kozub requested that when the Legislature adjourns, it do so in memory of Jim Wolfe.

ADJOURNMENT

Item 152 - At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

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ERIE COUNTY LEGISLATURE

MR. HOLT moved that the Legislature adjourn until Thursday, September 28, 2006 at 2 p.m. Eastern Standard Time. MS. KONST seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Thursday, September 28, 2006 at 2 p.m. Eastern Standard Time.

DAVID J. SWARTS
INTERIM CLERK